

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON**

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	CASE NO: 3:11-cv-048
vs.)	
)	
JOSEPH WARDEN,)	Magistrate Judge Michael R. Merz
)	
SSN: XXX-XX-5781)	
Defendant,)	
)	
and)	
)	
LEGAL AID OF WESTERN OHIO,)	
)	
Garnishee.)	

**AGREED FINAL ORDER IN
GARNISHMENT**

The parties, the United States of America by its representative, the United States Attorney for the Southern District of Ohio; Defendant, JOSEPH WARDEN; and Garnishee, LEGAL AID OF WESTERN OHIO, agree and stipulate that:

1. This debt arises from the registration of judgment filed on June 17, 2011, in the amount of \$162,545.22 entered in favor of the Plaintiff against Defendant in this case (Doc. No. 8). The amount of said judgment debt that remains unpaid and due and owing is: \$159,142.61 as of August 10, 2012, with additional interest accruing at the rate of 0.180 percent per annum.
2. Defendant's last known address is: 3441 Woodman Drive, Kettering, OH 45429.
3. The Garnishee is believed to have in its possession, custody or control, property of the Defendant in the form of wages and/or bonuses paid to the Defendant.

4. The name and address of the Garnishee or its authorized agent is:

Legal Aid of Western Ohio
Attn: Human Resources
525 Jefferson Ave.
Toledo, OH 43604

5. The Defendant waives service of an Application for a Writ of Continuing Garnishment pursuant to §3205 of the Federal Debt Collection Procedures Act, 28 U.S.C. §3205, and further waives his right to a hearing under §3205 of the Federal Debt Collection Procedures Act, 28 U.S.C. §3205 and any other process to which the Defendant may be entitled under the Act.

6. The Garnishee waives service of an Application for a Writ of Continuing Garnishment pursuant to §3205 of the Federal Debt Collection Procedures Act, 28 U.S.C. §3205 and further waives its right to answer and waives being heard in this matter and any other process to which the Garnishee may be entitled under the Act.

7. The Defendant agrees and stipulates that his wages and/or bonuses are subject to garnishment and expressly agrees and stipulates that the entry of a Final Order in Garnishment is proper.

8. The parties therefore agree and stipulate to the entry of a Final Order in Garnishment against all non-exempt wages and/or bonuses of the Defendant, JOSEPH WARDEN. It is expressly agreed and stipulated to by the parties that the Garnishee, LEGAL AID OF WESTERN OHIO, shall pay into the hands of the DEPARTMENT OF JUSTICE, Three Hundred dollars (\$300.00), MONTHLY, of Defendant's disposable income from wages and/or bonuses.

9. The parties further agree and stipulate that these sums are to be applied upon the judgment rendered in this cause in the sum of \$162,545.22, upon which there is an unpaid balance of \$159,142.61 as of August 10, 2012, with additional interest accruing at the rate of 0.180 percent per annum. These deductions are to continue until the unpaid balance is fully paid and satisfied, or until the Garnishee no longer has custody, possession or control of any property belonging to the Defendant, or until further Order of this Court.

10. Garnishment checks should be made payable to:

U.S. Department of Justice
(Case reference number - 2011A23611)

and mailed to:

U.S. Department of Justice
Nationwide Central Intake Facility
P.O. Box 790363
St. Louis, MO 63179-0363

11. **This Order shall take effect immediately.**

Respectfully submitted,

CARTER M. STEWART
United States Attorney

s/ Bethany Hamilton

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s/ Kevin C. Mulder (signature on file with USAO)

KEVIN C. MULDER
Representative, Legal Aid of Western Ohio
Garnishee
525 Jefferson Ave.
Toledo, OH 43604

APPROVED AND ORDERED this seventeenth day of August, 2012.

s/ *Michael R. Metz*
United States Magistrate Judge